

EXHIBIT B

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Re: State of Nevada v. Abbott Laboratories, Inc., et al.
Case No. CV02-00260
Second Judicial District Court, Washoe County, Nevada

Dear Counsel:

On behalf of all defendants in the above-captioned action, I am writing to respond to "Plaintiff's First Request for Production of Documents to all Defendants." This discovery is improper because it is premature under the Nevada Rules of Civil Procedure.

Pursuant to NRCP 26(a), formal discovery, including requests for production of documents, may be obtained only after the filing of an early case conference report or upon the entry of an order waiving compliance with Rule 16.1(c). The early case conference, which triggers the case conference report, is to be held within 30 days after service of the answer of each answering defendant. NRCP 16.1(a).

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No defendant has filed an answer in this case, no early case conference has been conducted, and no order has been entered waiving compliance with Rule 16.1. Further, Defendants intend to respond to the complaint with a motion to dismiss, so no answer will be due until that motion is resolved. Plaintiff's discovery requests are therefore premature and defendants need not respond to them.

If you disagree with this analysis, please let us know why. Until then, I remain,

Truly yours,

A handwritten signature in black ink, appearing to read 'AJW', with a long horizontal flourish extending to the right.

ALLEN J. WILT

AJW/lf
cc: Defense Counsel
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